

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05-98-037]

Special Local Regulations for Marine Events; Norfolk Harbor, Elizabeth River, Norfolk and Portsmouth, VA

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation.

SUMMARY: This notice implements the special local regulations at 33 CFR 100.501 during the start of the Cock Island Race, a marine event to be held in the Elizabeth River, Norfolk and Portsmouth, Virginia on June 26, 1998. These special local regulations are necessary to control vessel traffic in the vicinity of Norfolk Harbor due to the confined nature of the waterway and expected vessel congestion during the start of the race. The effect will be to restrict general navigation in the regulated area for the safety of race participants, spectator craft and other vessels transiting the event area.

DATES: 33 CFR 100.501 is effective from 9 a.m. to 4 p.m. on June 26, 1998.

FOR FURTHER INFORMATION CONTACT: Chief Warrant Officer D. Merrill, Marine Events Coordinator, Commander, Coast Guard Group Hampton Roads, 4000 Coast Guard Blvd., Portsmouth, VA 23703-2199, (757) 483-8568.

SUPPLEMENTARY INFORMATION: Ports Events, Inc., will sponsor the Cock Island Race on June 26, 1998. The race will consist of 300 sailboats, ranging in length from 22' to 60'. The participants will be divided into classes, with each class starting at 10 minute intervals from the Portsmouth Seawall area of the Elizabeth River. They will race to Hampton Roads and return. A large spectator fleet is anticipated. Therefore, to ensure the safety of the racers, spectators and transiting vessels, 33 CFR 100.501 will be in effect during the start of the race. Under provisions of 33 CFR 100.501, a vessel may not enter the regulated area unless it receives permission from the Coast Guard Patrol Commander. Because these restrictions will be in effect for a limited period, they should not result in a significant disruption of maritime traffic.

Dated: May 26, 1998.

P.M. Stillman,

Captain, U.S. Coast Guard, Acting Commander, Fifth Coast Guard District.

[FR Doc. 98-15035 Filed 6-4-98; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF TRANSPORTATION

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33 CFR Part 100

[CGD01-98-017]

RIN 2115-AE46

Special Local Regulation: Harvard-Yale Regatta, Thames River, New London, CT

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is issuing a temporary rule to change the effective dates for the special local regulations for this year's Harvard-Yale Regatta. The Harvard-Yale Regatta will be held on June 6, 1998, on the Thames River in New London, Connecticut. This regulation is necessary to control vessel traffic within the immediate vicinity of the event due to the confined nature of the event, thus providing for the safety of life and property on the affected navigable waters.

DATES: This rule is effective on June 6, 1998, from 3 p.m. to 8 p.m. If the regatta is canceled due to weather, this rule will be in effect on the following day, Sunday June 7, 1998, from 6 a.m. to 11 a.m.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Mark A. Cawthorn, Assistant Chief, Search and Rescue Branch, First Coast Guard District, (617) 223-8460.

SUPPLEMENTARY INFORMATION:**Regulatory History**

The special local regulation in 33 CFR 100.101 for the annual Harvard-Yale Regatta was published on May 13, 1996 at 62 FR 21960. The regulation's effective date does not allow automatic implementation of the rule each year. This regulation is necessary to suspend paragraph (b) of 33 CFR 100.101 and add paragraph (d) specifying the effective dates for this year's event. Good cause exists for providing for this regulation to become effective in less than 30 days after **Federal Register** publication. Publishing an NPRM would require a 30-day comment period and the final rule would not be effective before the scheduled event. The Coast Guard believes delaying the event in order to provide a 30-day delayed effective date would be contrary to the public interest given this event's local popularity.

Background and Purpose

The Harvard-Yale regatta is an annual rowing race sponsored by the Harvard-

Yale Regatta Committee. Participating rowboats require favorable navigable conditions. A portion of the Thames River in New London, Connecticut will be closed during the effective period. The regulated area is that area of the river between the Penn Central Drawbridge and Bartlett's Cove. This regulated area is needed to protect life and property during the event. For further information and restrictions regarding this event see 33 CFR 100.101.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has exempted this temporary rule from review under that order. This temporary rule is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. The effect of this temporary rule will not be significant for several reasons: Entry into the regulated area is restricted for a short duration; vessels may transit around the regulated area; and the extensive advance advisories that will be made.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule would have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

For the reasons discussed in the Regulatory Evaluation, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and